

UTILITIES DIVISION[199]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 17A.4, 476.1, and 476.2 and chapters 478 and 479, the Utilities Board (Board) gives notice that on February 2, 2009, the Board issued an order in Docket No. RMU-2009-0001, In re: Amendments to Incident and Outage Notification Rules for Natural Gas and Electric Utilities and Establishing Notification Rules for Electric Transmission Companies [199 IAC 19.17 and 20.19], "Order Commencing Rule Making," proposing amendments updating the Board rules for incident and outage notification by natural gas utilities and electric utilities and establishing notification requirements for electric transmission companies. The Board is proposing the changes to these rules based upon its experience since the adoption of the existing rules in March 2008. The order containing the background and support for this rule making can be found on the Board's Web site, www.state.ia.us/iub.

Pursuant to Iowa Code section 17A.4(1)"a" and "b," any interested person may file a written statement of position pertaining to the proposed amendments. The statement must be filed on or before March 17, 2009. The statement should be filed electronically through the Board's electronic filing system (EFS). Instructions for making an electronic filing can be found on the EFS Web site at <http://efs.iowa.gov>.

Any person who does not have access to the Internet may file comments on paper pursuant to 199 IAC 14.4(5). An original and ten copies of paper comments shall be filed. Both electronic and written filings shall comply with the format requirements in 199 IAC 2.2(2) and clearly state the author's name and address and make specific reference to this docket. All paper communications should be directed to the Executive Secretary, Iowa Utilities Board, 350 Maple Street, Des Moines, Iowa 50319-0069.

An oral presentation to receive oral comments on the proposed amendments will be held at 10 a.m. on March 26, 2009, in the Board's hearing room at the address listed above. Persons with disabilities who require assistive services or devices to observe or participate should contact the Utilities Board at (515)281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

These amendments are intended to implement Iowa Code sections 17A.4, 476.1, and 476.2 and chapters 478 and 479.

The following amendments are proposed.

ITEM 1. Amend paragraph **19.17(1)"c"** as follows:

e. ~~Any other incident considered significant by the utility~~ An interruption of service of more than two hours to an airport, health care facility, water treatment facility, sewer plant, or other significant public facility, or where there is a significant loss of service in the utility's service area.

ITEM 2. Amend subrule 19.17(2) as follows:

19.17(2) Information required.

a. ~~The utility shall notify the board by telephone.~~ Notice shall be provided as soon as the utility learns of a reportable incident that meets the criteria in subrule 19.17(1) or as soon as practical, of any reportable incident by calling the board duty officer at 515-745-2332 or by sending an electronic message to the duty officer at IUBDutyOfficer@iub.state.ia.us. The caller or person sending the electronic message shall leave a call-back number for a person who can provide the following information:

~~a.~~ (1) The name of the utility, the name and telephone number of the person making the report, and the name and telephone number of a contact person knowledgeable about the incident.

~~b.~~ (2) The location of the incident.

- ~~e.~~ (3) The time of the incident.
- ~~d.~~ (4) ~~The number of deaths or personal injuries and the extent of those injuries, if any.~~ The number of services interrupted.
- ~~e.~~ (5) ~~An initial estimate of damages.~~ The number of deaths or personal injuries and the extent of those injuries, if any.
- ~~f.~~ (6) ~~The number of services interrupted.~~ An initial estimate of damages.
- ~~g.~~ (7) A summary of the significant information available to the utility regarding the probable cause of the incident and extent of damages.
- ~~h.~~ (8) Any oral or written report required by the U.S. Department of Transportation, and the name of the person who made the oral report or prepared the written report.
- (9) The estimated time until service will be restored.
- b. The natural gas utility shall provide updates to the board as new or additional information becomes available until all service is restored.

ITEM 3. Amend subrule 20.19(1) as follows:

20.19(1) Notification. ~~Each electric utility shall notify the board of any outage that results, or is expected to result, in the following:~~

- ~~a. — Loss of service for more than two hours to substantially all of a municipality, including the surrounding area served by the same utility;~~
- ~~b. — Loss of service for more than two hours to 20 percent of the customers in a utility's established zone or area;~~
- ~~c. — Loss of service for more than two hours to more than 3,600 customers in a metropolitan area;~~
- ~~d. — A major event as defined in subrule 20.18(4); or~~
- ~~e. — Any other outage considered significant by the electric utility.~~

a. Each electric utility shall notify the board, as soon as practical, of an outage that is expected to result in any of the following:

- (1) Loss of service for more than two hours to all customers in a municipality or to a significant number of customers in a municipality and the surrounding area served by the same utility.
- (2) A major event as defined in subrule 20.18(4).
- (3) An interruption of service of more than two hours to an airport, a health care facility, a water treatment facility, a sewer plant, or other significant public facility, or where there is a significant loss of service in the utility's service area.

b. Electric utilities with over 50,000 customers shall notify the board of any outage that results, or is expected to result, in loss of service for more than two hours to 20 percent of the customers in a utility's established operating zone or area or more than 3,600 customers in a metropolitan area.

c. Municipal electric or electric cooperative utilities with over 4,000 customers shall notify the board of any outage that is expected to result in loss of service for more than two hours to 20 percent or more of the utility's customers.

ITEM 4. Amend paragraph **20.19(2)"a,"** introductory paragraph, as follows:

a. Notice shall be provided as soon as the utility learns of ~~the~~ an outage that meets the criteria in subrule 20.19(1), or as soon as practical thereafter, by calling the board duty officer at 515-745-2332 or by sending an electronic message to the duty officer at IUBDutyOfficer@iub.state.ia.us. The caller or person sending the electronic message shall leave a call-back number for a person who can provide the following information:

ITEM 5. Amend paragraph **20.19(3)"e"** as follows:

e. The number of ~~people~~ contract and mutual aid personnel used to assist the host utility personnel working to restore service.

ITEM 6. Adopt the following **new** subrule 20.19(4):

20.19(4) Notification by electric transmission companies. Electric transmission companies shall notify the board of any outage that results, or is expected to result, in the loss of service by an electric

utility reportable under subrule 20.19(1). The notice shall include the names of the distribution utilities directly affected by the outage.